

**IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

IN THE MATTER OF

JENNIFER MARIE MURUKAS,

DEBTOR

IN PROCEEDINGS  
UNDER CHAPTER 7

CASE NO. 19-00603

JUDGE: Hollis

**NOTICE OF MOTION**

**Notified via Electronic Filing**

U.S. Trustee, 219 S Dearborn St, Room 873, Chicago, IL 60604

Cindy M. Johnson, 140 S. Dearborn Street, Suite 1510, Chicago, IL 60603

David H Cutler, Cutler & Associates, Ltd., 4131 Main St., Skokie, IL 60076

**Notified via US Postal Service**

Jennifer Marie Murukas, 15243 Kenmare Circle, Manhattan, IL 60442

Please take notice that on the 1<sup>st</sup> of February, 2019, at the hour of 10:00 a.m. or as soon thereafter as I may be heard, I shall appear before the Honorable Judge Pamela Hollis, at the United States Bankruptcy Court, Joliet City Hall, 150 West Jefferson Street, 2nd Floor, Joliet, IL 60432 or before any other Bankruptcy Judge who may be presiding in his/her place and stead and shall then and there present the accompanying motion. At that time and place you may attend if you so choose.

**AFFIDAVIT OF SERVICE**

The undersigned hereby certifies that he/she caused a true and correct copy of the above and foregoing document to be sent to the Debtor at the address listed below. Said copy was placed in an envelope addressed as listed below and placed in the U.S. Mail on January 25, 2019, with first class postage prepaid. All other parties entitled to notice received such notice electronically, through the office of the Clerk of the Court.

Respectfully Submitted,

/s/ Michael N. Burke

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Michael N. Burke

Mike Kalkowski ARDC #6185654  
Richard B. Aronow ARDC# 03123969  
Michael N. Burke ARDC#6291435  
Shapiro Kreisman & Associates, LLC  
2121 Waukegan Road, Suite 301  
Bannockburn, IL 60015  
(847) 291-1717  
Attorneys for Movant  
15-076902

**The firm of Shapiro Kreisman & Associates, LLC is a debt collector. This is an attempt to collect a debt. Any information may be used for that purpose. If your personal liability for this debt has been extinguished, discharged in bankruptcy or if a court order prohibits collecting this debt from you personally, then this is an attempt to enforce the Movant's rights with respect to the property addressed herein, and it is not an attempt to collect the debt from you personally.**

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**MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

NOW COMES the Movant, NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER, by and through its attorneys, Shapiro Kreisman & Associates, LLC, and moves this Court for the entry of an order modifying the automatic stay, pursuant to 11 USC § 362(d) and in support thereof states as follows:

1. That the Debtor filed a Petition for relief under Chapter 7 of the U.S. Bankruptcy Code on January 9, 2019.
2. That the Movant is a Creditor of the Debtor, pursuant to a note secured by a mortgage on the real property commonly known as: 15243 Kenmare Circle, Manhattan, IL 60442.
3. That the Debtor is in default under the terms of said note and mortgage for failure to make the installment payments due June 1, 2015, through August 1, 2018, each in the amount of \$1,511.77; September 1, 2018, through November 1, 2018, each in the amount of \$1,574.46; and December 1, 2018, through January 1, 2019, each in the amount of \$1,513.97. That default does not include attorneys' fees, costs of collection and other advances and it does not constitute reinstatement.

4. That the indebtedness due Movant as of January 11, 2019, is \$212,189.17. Said indebtedness is currently due Movant after applying all offsets and credits due Debtor.
5. That the Debtor's schedules suggest that the fair market value of said property is approximately \$164,957.00. Upon information and belief, additional liens exist against the subject property in the amount of \$87,036.00.
6. Attached are redacted copies of any documents that support the claim, such as promissory notes, purchase order, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements in support of right to seek a lift of the automatic stay and foreclose if necessary.
7. That the Movant adopts the facts set forth in the Statement of Default as additional allegations in support of this motion.
8. That the Movant lacks adequate protection in that there is little or no equity in the premises and that the Debtor is not making payments to the Movant as provided by the mortgage and note.
9. That the subject property is not necessary for an effective reorganization and the Movant is entitled to relief pursuant to 11 USC § 362(d).
10. That the Movant wishes to be reimbursed for the costs and attorneys' fees of filing this motion.
11. That, for the reasons set forth above, it would be inequitable to delay the enforcement of any order modifying the automatic stay with respect to the Movant.

WHEREFORE, NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER prays that this Court enter an order modifying the automatic stay to allow said creditor to foreclose the mortgage or, in its sole discretion, to accept a short sale or deed in lieu of foreclosure on the property known as: 15243 Kenmare Circle, Manhattan, IL 60442; and that Federal Bankruptcy Rule 4001(a)(3) be waived.

Respectfully submitted,

/s/ Michael N. Burke  
Attorney for NATIONSTAR MORTGAGE LLC D/B/A  
MR. COOPER

Mike Kalkowski ARDC #6185654  
Richard B. Aronow ARDC# 03123969  
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